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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/808,616	03/14/2001	Jukka Immonen	810-010249-US(PAR)	4556

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EXAMINER

ESCALANTE, OVIDIO

ART UNIT

PAPER NUMBER

2645

DATE MAILED: 03/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/808,616

Applicant(s)

IMMONEN ET AL.

Examiner

Ovidio Escalante

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 December 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4.5</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statements submitted on June 15, 2001 and December 23, 2002 was received. The submissions are in compliance with the provisions of 37 CFR 1.97. Accordingly the information disclosure statements are being considered by the examiner.

Claim Objections

2. Claim 18 is objected to because of the following informalities: claim 18 depends upon claim 17 and also depends upon itself. Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Mizell et al. US Patent Pub. 2002/0077097.

Regarding claim 1, Mizell teaches a method for assigning values of service attributes to transmissions between a user equipment (mobile terminal) and a radio access network, (paragraph 32), comprising:

upon request of such a transmission by a user equipment of a subscriber registered with some radio access network (paragraph 32) determining values of service attributes to be used for the transmission requested by said user equipment based on at least one value of at least one

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service attribute defined by a stored subscriber specific service profile, (paragraphs 32 and 41; the subscriber profile which comprises a subscription plan categorizes their quality of service plan), and

based on at least one stored common value of at least one service attribute, (paragraphs 32 and 38; The SGSN stores a common quality of service value which bases the values as the type of communication).

Regarding claim 2, Mizell teaches wherein the values of service attributes to be used for the requested transmission are determined further based on values of service attributes requested by the user equipment, (paragraph 41).

Regarding claim 3, Mizell teaches wherein the values of service attributes defined by a subscriber specific service profile stored in the first storing means (HLR; paragraphs 34 and 41; subscriber profiles are inherently stored in the HLRs) and the values of service attributes stored in the second storing means (SGSN) define the Quality of Service of a transmission, (paragraphs 38 and 40).

Regarding claim 4, Mizell teaches wherein the values of service attributes defined by a subscriber specific service profile stored in the first storing means define the best values allowed for the service attributes for at least one kind of transmission as subscribed by the corresponding user equipment, (paragraphs 40 and 41).

Regarding claim 5, Mizell teaches wherein the values of service attributes defined by a subscriber specific service profile stored in the first storing means comprise the values of service attributes defining the Quality of Service for requested real-time-traffic (voice) transmissions, (paragraphs 40 and 41).

Regarding claim 6, Mizell teaches wherein the values of service attributes defined by a subscriber specific service profile stored in the first storing means comprise the values of at least one service attribute defining at least part of the Quality of Service for requested non-real-time-traffic (data) transmissions, (paragraph 41).

Regarding claim 7, Mizell teaches wherein the common values of service attributes stored in the second storing means comprise at least one default value for at least one service attribute to be used in case a user equipment requests a transmission without requesting a specific value for said at least one service attribute required for the requested transmission, (paragraphs 38,40 and 41).

Regarding claim 8, Mizell teaches wherein said first and said second storing means are part of the same radio access network, (fig. 4; Mizell teaches that different combination of radio networks can be used. Mizell further teaches of having the first and second storing means in the same or different networks based upon the location of the caller).

Regarding claim 9, Mizell teaches wherein said radio access network is a UMTS radio communications network, (fig. 1; paragraphs 27-29).

Regarding claim 10, Mizell teaches wherein said first storing means (HLR) are part of a first radio access network, (paragraphs 29 and 30), wherein said second storing means (SGSN) are part of a second radio access network, (paragraph 31), said first radio access network being a network for which a user equipment requesting a transmission is registered (paragraph 40) and said second radio access network being accessed by said user equipment for requesting the transmission, (paragraphs 32 and 40).

Regarding claim 11, Mizell teaches transmitting the values of service attributes defined by a subscriber specific service profile stored in the first storing means from said first radio access network to said second radio access network during an authentication of said user equipment accessing said second network, (paragraphs 31,40 and 41).

Regarding claim 12, Mizell teaches wherein values of service attributes to be used for a requested transmission in the second radio access network are determined by mapping values of service attributes determined based on values of service attributes as far as requested by a user equipment for a requested transmission (paragraph 40), on subscriber specific values of service attributes and on common values of service attributes, which service attributes are defined in the first radio access network, to values of service attributes defined in the second radio access network, (paragraphs 32,38 and 41).

Regarding claim 13, Mizell teaches wherein said second radio access network is a wireless local area network (WLAN), (paragraph 7).

Regarding claim 14, Mizell teaches a radio access network (fig. 1) comprising:
first storing means (HLR) for storing subscriber specific service profiles defining values of at least one service attribute that can be assigned to at least one kind of transmission, (paragraphs 34,41);

second storing means (SGSN) for storing at least one common value of at least one service attribute that can be assigned to at least one kind of transmission, (paragraph 38,40); and
processing means for determining values of service attributes to be used for a transmission requested by a user equipment of a subscriber registered with said radio access network based on at least one of the values of the service attributes defined by a corresponding

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subscriber specific service profile stored in the first storing means and on common values of service attributes stored in the second storing means, (paragraph 32,38,41).

Regarding claim 15, Mizell teaches wherein said radio access network is a cellular network, wherein said first storing means are integrated in a home location register or home subscriber server (HLR/HSS) of said cellular network and wherein said second storing means are integrated in a serving gateway support node (SGSN) of said cellular network, (fig. 1; paragraphs 30 and 31).

Regarding claim 16, Mizell teaches a network element of a radio access network, (fig. 1), comprising:

storing means (SGSN) for storing at least one common value of at least one service attribute that can be assigned to at least one kind of transmission, (paragraphs 38 and 40); and

processing means for determining values of service attributes to be used for a transmission requested by a user equipment of a subscriber registered with said radio access network based on said common values of service attributes stored in said storing means, (paragraphs 32 and 38) and

based on values of service attributes defined by a subscriber specific service profile stored in some other storing means, (HLR), (paragraphs 34 and 41).

Regarding claims 17 and 20, Mizell teaches a radio access network and a network element of a radio access network in which a user equipment of a subscriber registered with some other radio access network is allowed to request a transmission, (abstract), comprising:

storing means for storing at least one common value of at least one service attribute that can be assigned to at least one kind of transmission, (paragraphs 38 and 40);

processing means for determining values of service attributes to be used for a transmission requested by said user equipment based on values of service attributes defined by a subscriber specific service profile received from the other radio access network (paragraphs 34 and 41) and on said common values of service attributes stored in said storing means, (paragraphs 31 and 38).

Regarding claim 18, Mizell teaches wherein the processing means are designed for mapping values of service attributes determined based on values of service attributes as far as requested by a user equipment for a requested transmission, on subscriber specific values of service attributes and on common values of service attributes, which service attributes are defined in the other radio access network, to values of service attributes defined in the radio access network, (paragraphs 32,38 and 41)

Regarding claim 19, Mizell teaches wherein said radio access network is a wireless local area network (WLAN) and wherein said second storing means and at least part of said processing means are integrated in a public access controller (PAC) of said wireless local area network, (paragraph 7; fig. 1).

Conclusion

5. Any response to this action should be mailed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

or faxed to:

(703) 872-9306, (for formal communications intended for entry)

Or:

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(703) 872-9314, (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal
Drive, Arlington, VA, Sixth Floor (Receptionist).

6. Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Ovidio Escalante whose telephone number is (703) 308-6262.
The examiner can normally be reached on Monday to Friday from 6:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, Fan Tsang, can be reached on (703) 305-4895. The fax phone number for this Group
is (703) 872-9306.

Communications via Internet e-mail regarding this application, other than those under 35
U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be
addressed to [fan.tsang@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO
employees do not engage in Internet communications where there exists a possibility that
sensitive information could be identified or exchanged unless the record includes a properly
signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly
set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and
Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding
should be directed to the Technology Center 2600 Customer Service Office whose telephone
number is (703) 306-0377.

Ovidio Escalante
Examiner
Group 2645
March 12, 2004

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

